



DEPARTMENT OF THE NAVY
COMMANDER NAVY RESERVE FORCES COMMAND
1915 FORRESTAL DRIVE
NORFOLK, VIRGINIA 23551-4615

IN REPLY REFER TO:
5041
8 Jan 13

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MEMORANDUM FOR THE RECORD

From: Inspector General, Commander Navy Reserve Force

Subj: ALLEGATIONS DISCOVERED BY COMNAVRESFOR IG

1. **Origin of Complaint.** On 6 September 2011, (b)(6)&(b)(7)(c) (b)(6)&(b)(7)(c) NR NETC Det Norfolk, filed a Hotline complaint with COMNAVRESFOR IG. The complaint included allegations related to Military Whistleblower Reprisal. Case number 201102849 was assigned to track and monitor the complaint, and the Office of the Naval Inspector General tasked COMNAVRESFOR IG with conducting a full Military Whistleblower Reprisal Investigation. While investigating the case, COMNAVRESFOR IG discovered information which appears contrary to the Department of the Navy's Policy on Hazing (SECNAVINST 1610.2A).

2. **Complainant's Background.** (b)(6)&(b)(7)(c) is a Selected Reserve (SELRES) officer assigned to NR NETC Det Norfolk. According to her last three Fitness Reports, her primary duty is that of (b)(6)&(b)(7)(c). In (b)(6)&(b)(7)(c), (b)(6)&(b)(7)(c) attended the (b)(6)&(b)(7)(c) as a (b)(6)&(b)(7)(c). She holds a Masters Degree (b)(6)&(b)(7)(c) was the former (b)(6)&(b)(7)(c) from 1997 to 2000, and is a (b)(6)&(b)(7)(c). Prior to retiring from her civilian employer, she had been a (b)(6)&(b)(7)(c) for 30 years.

3. **Allegations.** On 1 June 2010, in an email to (b)(6)&(b)(7)(c) (b)(6)&(b)(7)(c), Commander, Navy Reserve Force, (b)(6)&(b)(7)(c) describes her observations of the May 2010 DCOIC, managed by Officer Training Command (OTC), Newport, RI:¹ "On Thurs noon was their first meal allowed without holding knowledge books in front of them...." Further in the email, (b)(6)&(b)(7)(c) writes: "This class was sent to the 'beach'—and on several occasions as a result of different infractions such as saying 'Yes, Sir' to the (b)(6)&(b)(7)(c) OTC] instead of the '(b)(6)&(b)(7)(c)' he expected. While in the sand they were directed to kick their

¹ As posted on the DCOIC website: "The purpose of this course is to provide Direct Commissioned Reserve Officers Military Indoctrination Training necessary to prepare them to function in their role as newly commissioned Naval Officer [sic]. It provides a basic introduction into fundamental aspects of leadership while providing a working knowledge of available references." Last modified 6/23/2011.
<http://www.ocs.navy.mil/dcoic_program_overview.asp>

legs and arms 'like the cockroaches they are.'" Further in the email, (b)(6)&(b)(7)(c) writes: "During the March visit--cold temps--the class was marching about without jackets--khaki sleeve only. I asked why. Because they are expected to march in formation everywhere they go none were allowed jackets because one had forgotten theirs."

4. **Standard.** SECNAVINST 1610.2A defines hazing as: "...any conduct whereby a military member or members, regardless of service or rank, without proper authority causes another military member or members, regardless of service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful." SECNAVINST 1610.2A also states: "Hazing does not include command-authorized or operation activities; the requisite training to prepare for such missions or operations; administrative corrective measures; extra military instruction; athletics events, command-authorized physical training, contests or competitions and other similar activities that are authorized by the chain of command." COMNAVRESFOR IG has no knowledge as to whether or not the allegations described above were "authorized by the chain of command" (i.e., OTC).

5. **Preliminary Inquiry.** As a matter of due diligence related to verifying (b)(6)&(b)(7)(c) various protected communications, COMNAVRESFOR IG interviewed (b)(6)&(b)(7)(c), former (b)(6)&(b)(7)(c) (b)(6)&(b)(7)(c), OTC; four former DCOIC students (identified below as Student #1, #2, #3, and #4) who attended DCOIC during the time in question; and one OTC Newport civil service employee. Summaries of those interviews appear below. All interviewees were placed under oath prior to responding to any questions.

6. **Testimony of** (b)(6)&(b)(7)(c) **OTC.**

a. On 14 March 2012, (b)(6)&(b)(7)(c) provided the following sworn testimony:

b. CNRF IG: The investigation that was done, did that include this cockroach issue?

c. (b)(6)&(b)(7)(c) Absolutely, it did.

d. CNRF IG: And that was----

e. (b)(6)&(b)(7)(c): And there was no evidence of hazing found. She [(b)(6)&(b)(7)(c)] didn't--she's not a truthful person, she didn't reflect things--you know. Yes, she's not a truthful person.

f. On 28 March 2012, after being reminded that she remained under oath from 14 March 2012, (b)(6)&(b)(7)(c) provided the following sworn testimony:

g. Note: During this second interview, (b)(6)&(b)(7)(c) had legal counsel present.

h. CNRF IG: After our discussion on 14 March, we talked about the alleged behaviors of having the officers lie down in the sand, putting their hands and legs up in the air, being called cockroaches (allegedly), and you said that there was an investigation conducted. Was that by OTC?

i. (b)(6)&(b)(7)(c): No, I didn't say there was an investigation conducted. What I said was, any time--we did constant reviews of our training, and they were reviewed internally and externally. We would have looked at everything. Anytime anybody said there was an issue, we would go back and take a look at it because it was constant policing inside and out to make sure we were in compliance.

7. Testimony of Student #1. Student #1 is a medical doctor who arrived at DCOIC as a commissioned officer. Student #1 is self-described as an older, non-prior service individual. Student #1 stated that DCOIC students were directed to hold their green memorandum booklets at arm's length and read silently from them until the rest of the group had obtained their food and had gathered at the common table to sit and eat. Student #1 stated: "I didn't feel great about that," calling the experience "slightly uncomfortable." Student #1 described being marched to the "sandpit" in the following manner: While lying on their backs in sand, students were directed to raise their hands and legs up in the air. While in this position, students were called "cockroaches" by one or more Chief Petty Officers (CPO) assigned to the DCOIC staff. Student #1 also stated that students were directed to fill their pockets with sand and to execute jumping jacks with handfuls of sand. Student #1 commented on the fact that s/he outranked the instructor who had called him/her a "cockroach." Student #1 believes that the experience of lying on ones back in the sand, being yelled at, and being called a "cockroach" was "demeaning." Student #1 further described the experience as building "resentment," and used such terms as "demeaning" and "cruel" when describing the experience.

8. Testimony of Student #2. Student #2 is a management-level federal employee who arrived at DCOIC as a commissioned officer with over 20 years of military experience. Student #2 explained

how DCOIC students would participate in additional physical training (PT) sessions called "going to the beach." According to Student #2, when unit tasking was not accomplished, "extra activity" would result. This extra activity included PT, pushups, and sit-ups in the sand. According to Student #2, students were directed to fill their shorts' pockets with sand and "duck walk" with sand in their pockets as well as execute jumping jacks with handfuls of sand. Student #2 recalls being directed to execute the "dead bug" position once while in the sand. Student #2 also explained how DCOIC students would hold their memorandum booklets at arm's length, perpendicular to the deck. Student #2 described one of the DCOIC CPO instructors as "rude," "insensitive," and "overbearing."

9. Testimony of Student #3. Student #3 is a university professor who arrived at DCOIC in 2010 as a commissioned officer. Student #3 explained how, while at DCOIC, students rolled around and crawled around in the sand while they were called "cockroaches" by a DCOIC instructor. Student #3 described how DCOIC instructors had pulled all personal items from their lockers; and, as a result of this, items had been lost. According to Student #3, all DCOIC students were expected to lie in the sand, unless they had a medical excuse. According to Student #3, all DCOIC students knew they could only be "kept in the sand box" for 15 minutes at a time. Accordingly, they knew there was an end in sight, as they were "on the clock." Student #3 stated that, "Whenever we did something wrong," DCOIC instructors would articulate "threats" such as "We're going to withhold liberty" for the weekend. Student #3 (self-described as "highly educated with extensive world experience") stated that fellow students "didn't see the point of those activities." Student #3 stated that students were expected to hold their memorandum booklets at arm's length while in line for chow and while waiting for all unit members to get their food and arrive at the table to sit. According to Student #3, this would sometimes last up to 15 minutes. According to Student #3, a DCOIC staff member told a DCOIC student, "Good morning, sir. You look like shit." Student #3 explained how, in May 2010, while it was cold and raining, students were directed to march in formation without their jackets. According to Student #3, this continued for the entire morning period—both in and out of doors. *It should be noted that, during the period in question, mean temperatures for the local area ranged from 44.4 degrees Fahrenheit to 62.3 degrees Fahrenheit, with the lowest temperature being recorded at 37.9 degrees Fahrenheit (source: <<http://weathersource.com/account/official-weather?location=02841&start-date=05%2F01...>>). Student #3*

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described how a DCOIC student had been singled out by the DCOIC staff, and how the unit was punished for the student's alleged behavior. According to Student #3, this group punishment resulted in DCOIC students later singling out the subject student.

10. Testimony of Student #4. Student #4 was reluctant to have the interview recorded, and asked to be documented as a confidential witness. COMNAVRESFOR IG honored Student #4's wishes, and did not record the interview. Student #4 holds a terminal degree and arrived at DCOIC in 2010 as a commissioned officer. Student #4 stated that DCOIC students would keep their memorandum booklets at arm's length for no more than five minutes. Student #4 stated that DCOIC students felt "humiliated." Although Student #4 was not called a "cockroach," Student #4's statement included hearsay evidence that other DCOIC students had been called "cockroaches."

11. Testimony of OTC Newport Civil Service Employee. COMNAVRESFOR IG contacted an OTC Newport civil service employee who was present during the period in question. The interviewee had specific knowledge that DCOIC students had been called "cockroaches." The interviewee viewed this term as both "demeaning" and "disrespectful." Concerning (b)(6)&(b)(7)(c) the interviewee stated that the officers had lost a lot of respect for him. The interviewee stated that s/he had heard from students of more than one DCOIC class that the term "cockroaches" had been directed toward DCOIC students. During an end of course reception, the interviewee heard both DCOIC students and (b)(6)&(b)(7)(c) referring to the term "cockroach." The interviewee has not aware of any investigation or inquiry related to the treatment of DCOIC students.

12. Interview with (b)(6)&(b)(7)(c). As part of the Military Whistleblower Reprisal Investigation, COMNAVRESFOR IG attempted to contact (b)(6)&(b)(7)(c) for an interview. Although (b)(6)&(b)(7)(c) had transferred from OTC, COMNAVRESFOR IG successfully reached him via phone while at sea. (b)(6)&(b)(7)(c) fully cooperated with COMNAVRESFOR IG during the phone interview and answered several questions related to (b)(6)&(b)(7)(c) alleged unfavorable personnel actions. Following the phone interview, COMNAVRESFOR IG emailed (b)(6)&(b)(7)(c) several questions related to (b)(6)&(b)(7)(c) protected communications. After receiving this email, (b)(6)&(b)(7)(c) responded that, after seeking legal counsel, he elected to exercise his right to remain silent. Accordingly, COMNAVRESFOR IG respected his request.

13. **Recommendation.** Initiate an IG case in the Naval Inspector General Hotline Tracking System (NIGHTS) to officially document the allegation of hazing, and then transfer the case to NETC IG. Due to the marked disparity between (b)(6)&(b)(7)(c) comments and those provided by (b)(6)&(b)(7)(c), the four DCOIC students, and the OTC staff member, COMNAVRESFOR IG recommends that NETC IG determine: (1) if the information above constitutes an allegation of hazing as defined in SECNAVINST 1610.2A; (2) if an investigation/inquiry related to alleged hazing at DCOIC was conducted in 2010; and (3) if further investigation related to alleged hazing of DCOIC students in 2010 is warranted.

14. COMNAVRESFOR IG is in possession of additional evidence including: digital recordings of interviews with DCOIC students identified above as Student #1, Student #2, and Student #3; (b)(6)&(b)(7) original complaint, the 1 June 2010 email described above; and (b)(6)&(b)(7)(c) testimony. The COMNAVRESFOR IG POC for this matter is (b)(6)&(b)(7)(c), Investigations Program Manager. He may be reached at COMM: (757) (b)(6)&(b)(7), DSN: 262-(b)(6), or (b)(6)&(b)(7)(c)@navy.mil.

(b)(6)&(b)(7)(c)

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